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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,867	12/19/2001	Mikko Siikaniemi	324-010670-US(PAR)	1044
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PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			EXAMINER TRUONG, LAN DAI T	
			ART UNIT	PAPER NUMBER
			2152	
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			09/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/027,867

Applicant(s)

SIIKANIEMI, MIKKO

Examiner

Lan-Dai Thi Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-9, 11--12 is/are rejected.
- 7) ☐ Claim(s) 4 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. This action is response to communications: application, filed 12/19/2001; amendment filed 09/07/2007. Claims 1-12 are pending. Claims 1, 7 and 12 are amended

Response to Arguments

2. Applicant's arguments filed 09/07/2007 have been fully considered. But Applicant's arguments are not persuasive.

3. Regarding Applicant's arguments with respect to there is no mention of packet data protocols, active and store a first data protocols are not persuasive; Olaffson discloses local modem has ability of maintaining "communication capabilities" those share functionality with "first data protocols" as claimed which used to active communication between the local modem and a remote modem, see (column 2, lines 30-40; column 3, lines 1-67)

4. Regarding to Applicant's arguments with respect to Horton discloses a call is placed on hold not the same as releasing a connection are not persuasive; Horton clearly teaches "disconnection the remote station modem" which shares functionality with "releasing a connection" as claimed, see (abstract, lines 21-29; column 5, lines 1-5)

5. Regarding to Applicant's arguments with respect to the Horton does not disclose technique of applying its teaching in a packet data switching system are not persuasive. Horton's teaching is applying in switching communications system, see figure 3; figure 5; and also Olaffson discloses telephone switching system, see (column 1, lines 22-30)

6. Regarding to Applicant's arguments with respect to the Horton does not disclose activated the first packet data protocol is released in response to said second packet data protocol context is being activated are not persuasive; Olaffson discloses a telephone switching system supports for waiting calls feature; therefrom a remote modem and local modem communicatively coupled thereto. The local modem directs the remote modem on-hold as being temporarily removed in responsive to coming of "detected call waiting signal" which shares functionality with "second packet data protocol context" as claimed, see (column 2, lines 8-11, lines 30-34)

Regarding to Applicant's arguments with respect to the Olaffson fails to teach releasing the connection are not persuasive; In Olaffson's telephone switching system, the local modem directs the remote modem "on-hold as being temporarily removed" which shares functionality with "releasing the connection" as claimed in responsive to coming of detected call waiting signal, see (column 2, lines 8-11, lines 30-34)

Allowable Subject Matter

Claims 4 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-9 and 11-12 are rejected under 35 U.S.C 103(a) as being un-patentable over Horton et al. (U.S. 5,241,587) in view of Olafsson et al. (U.S. 6,912,276)

Regarding claims 1, 5, 7 and 12:

Horton discloses a method, which can be implemented in a computer hardware or software code for arranging data transmission in a packet radio system comprising at least one mobile termination part, a terminal equipment part functionally connected thereto, and a packet radio network comprising:

releasing said first context in response to said second context being activated, in order to minimize processor and memory loading and avoid expense: (Horton discloses an active “modem connection” which shares functionality with “first packet data protocol context” as claimed released in response to activating of “phone ring connection” which shares functionality with “second packet data protocol context for dial-up connection” as claimed: column 5, lines 1-6; column 6, lines 15-17; figure 5; abstract)

However, Horton does not explicitly disclose activating a first packet data protocol context between said packet radio network and mobile termination part for reception and transmission of packet-switched data

In analogous art, Olafsson discloses a telephone switching system supports for waiting calls feature; therefrom a remote modem and local modem communicatively coupled thereto, see (column 2, lines 8-11, lines 30-34)

activating a second packet data protocol context between the packet radio network and the mobile termination part for a dial-up connection by a link between the terminal equipment part and the mobile terminal part or the terminal equipment part and the packet radio network: (Olafsson discloses “waiting call detected signal” which shares functionality with “a second packet data protocol context for a dial-up connection” as claimed, see: column 2, lines 8-11, lines 30-34)

releasing the dial-up connection, releasing said second context in response to the dial-up connection being released; activating a third packet data protocol context, substantially conforming to said first context, in response to said second context being deactivated: (Olafsson discloses method for establishing communication session between local modem and remote modem; wherein the local modem detects dial-tone connection request from a telephone device, local modem releases communication connection session with remote modem responsive to receiving dial-tone connection request from the telephone device; and then the relinquished communication session between the local modem and the remote modem is reestablishing responsive to the dial-ton connection releasing: column 1, lines 22-43; column 2, lines 1-64;

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column 3, lines 60-63; column 4, 65-67; column 5, lines 1-4; column 4 lines 35-60; column 7, lines 13-36)

Storing parameters relating to said first packet data protocol context: (Olafsson discloses local modem has ability of maintaining “communication capabilities” those share functionality with “first data protocols” as claimed which used to active communication with remote modem, see (column 2, lines 30-40; column 3, lines 1-67) ‘

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Olafsson’s ideas of reestablishing the relinquished communication session between the local modem and the remote modem with Horton’s system in order to improve efficiencies for telecommunication network such as reestablishing the link via switching network with having to redial: (Olafsson: column 4, lines 1-45)

Regarding claims 2 and 8:

In addition to rejection in claims 1 and 7, Horton- Olafsson further discloses first default parameters stored in advance in the mobile termination part, and said third context is activated in accordance with the same default parameters: (Olafsson discloses the relinquished “communication session between the local modem and the remote modem” which shares functionality with either first context and third context as claimed is reestablishing: column 2, lines 1-64; column 3, lines 60-63)

Regarding to claims 3 and 9:

In addition to rejection in claims 1 and 7, Horton- Olafsson further discloses terminal equipment part and the mobile terminal part: (Olafson discloses “modem” which shares

functionality with “terminal equipment part,” “telephone device” which shares functionality with “mobile terminal part”: figure 1, items 1, 11, 31)

Regarding to claims 6 and 11:

In addition to rejection in claims 1 and 7, Horton- Olafsson further discloses the packet radio system: (Olafson’s system can employ in radio communication link such as ISDN, ADSL or DSL: column 6, lines 30-34)

The prior art made of record and not relied upon is considered pertinent to applicant’s disclosure. The following patents and publications are cited to further show the state of the art with respect to “Providing a dial-up connection in a packet radio system”: 5974084; 6208718; 5519767; 6785371; 5826198; 20020064272 [0039]; 4076961; 5802304; 6725290; 3867581; 5103474;

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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The prior arts made of records and not relied upon are considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "Providing a dial-up connection in a packet radio system": 6093146; 6460083; 6725290; 6564071; 6377668; 5519767; 6912276; 5905476; 6993010;; 6742186 6636519; 6636519; 6317488

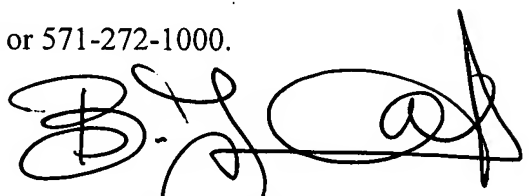
Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan-Dai Thi Truong whose telephone number is 571-272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

09/16/2007


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SUPERVISORY PATENT EXAMINER
9/17/7